

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

STEPHANIE D. TRUSSELL,

Plaintiff,

v.

Case No. 8:19-cv-2429-T-30JRK

ANDREW M. SAUL,
Commissioner of Social Security,

Defendant.

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REPORT AND RECOMMENDATION¹

This cause is before the Court sua sponte. Plaintiff, who is represented by counsel, failed to file a memorandum in support of the allegations of the Complaint as directed by the Court's Scheduling Order (Doc. No. 23), entered February 21, 2020. Consequently, on April 28, 2020, an Order to Show Cause (Doc. No. 24) was entered directing Plaintiff to file a memorandum and a written show cause response no later than May 28, 2020. In the Order to Show Cause, Plaintiff was advised that failure to respond would result in a recommendation that this case be dismissed without prejudice for failure to prosecute. See Rule 3.10(a), Local Rules, United States District Court, Middle District of Florida. Plaintiff has not responded to the Order to Show Cause in any way. Accordingly, it is

¹ "Within 14 days after being served with a copy of [a report and recommendation on a dispositive matter], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." Id. A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

RECOMMENDED:

1. That this case be **DISMISSED WITHOUT PREJUDICE** for failure to prosecute pursuant to Rule 3.10(a), Local Rules, United States District Court, Middle District of Florida.

2. That the Clerk of Court be directed to close the file.

RESPECTFULLY RECOMMENDED in Jacksonville, Florida on June 2, 2020.


JAMES R. KLINDT
United States Magistrate Judge

kaw

Copies:

Hon. James S. Moody, Jr.
Senior United States District Judge

Counsel of Record